

1 Constitution that juries would not be free to render  
2 verdicts as they saw fit based on the evidence?

3 DELEGATE WILLONER: Under our law, the jury has the  
4 power to disregard. There is nobody in this body will deny  
5 that no man could be found guilty on the judgment of a  
6 judge or should I say no man can have a directed verdict  
7 against him, direct a jury to find him guilty.

8 The judge does not have that power. Apparently  
9 under this case law -- and I will admit I have not done a  
10 complete and thorough research job -- but I think the burden  
11 is on those who would make a change to do this research  
12 job.

13 It would appear to me this would raise a problem,  
14 whereby if the jury did come in with a verdict which was  
15 inconsistent with the facts, the judge could, or the court  
16 could reverse the decision, because if it were robbery and  
17 there weren't any issues, and they came in with assault with  
18 intent to rob, where there was virtually contradicted  
19 evidence in that, could the verdict stand?

20 I don't know the answer to that. It appeared that  
21 it couldn't stand from the few cases I looked at.